



**Town of Tyngsborough**  
**Board of Appeals**  
Town Hall-25 Bryants Lane  
Tyngsborough, Ma 01879-1003  
(978) 649-2300, Ext. 112

Minutes from May 10, 2007

Members Present: Robb Kydd, Gary Ralls, Chris Mechalides, Eileen Farrell and Cheryl Bradley.

Members Absent: Claire Cloutier

**Hearing continued from April 12, 2007**

**Peter Cricones DBA Whispering Pines-Chapter 40B**

Review with Dave Sanderson, Peter Cricones and the Board of Appeals.

Atty. Lisa Mead couldn't make it to this hearing.

Peter Cricones had submitted some changes to Lisa Mead and she has not reviewed them yet.

The Board felt that Peter Cricones did a good job with responding to the questions by Dave Sanderson.

There are no open items per Dave Sanderson.

Motion by Gary Ralls to continue hearing to June 14, 2007 so Lisa Mead will be there, seconded by Chris Mechalides. Vote 5-0.

**James M. Finn, 9 Alden St.,** Assessors Map 30, parcel 16, request special permit and variance to the minimum lot area requirements to allow the applicant to convey a small piece of his property (577) sq. ft. to an abutter to settle a land dispute pending in Land Court, thus decreasing lot area to 7, 261 square feet making his lot more non-conforming. R-1 Zone, sections 2.1210,2.12.50,2.15.22.

Legal notice read. Advertised in the Lowell Sun on April 26 & May 3, 2007. No challenges to the legal notice or abutter notification. Motion to waive the abutter's list by Chris Mechalides, seconded by Eileen Farrell. Vote 5-0 Unanimous.

Application presented by Atty. Jim Harrington, Jr.

One abutter was present who had questions – Mark Pekkala, 1 Alden St. He asked does this affect any other abutters. No per Atty. Harrington.

Motion by Gary Ralls to withdraw the request for a **Special Permit**, seconded by Farrell. Vote 5-0 Unanimous.

Motion to close the public portion of the hearing by Gary Ralls, seconded by Eileen Farrell. Vote 5-0 Unanimous.

Motion by Eileen Farrell to **Grant** the **Variance** to decrease the overall sq. ft of Lot #9 from 7,838 to 7,261, in effect Lot #7 changes from 5,801 to 6,379/net change 577 square feet. Conditions for the notarized agreement to be submitted prior to issuance of variance.

Motion seconded by Gary Ralls. **Vote 5-0- Unanimous.**

Voting for the motion to **Approve** was Eileen Farrell, Gary Ralls, Robb Kydd, Chris Mechalides, and Cheryl Bradley

#### **Other Business**

Approve minutes from April 12, 2007- Motion by Chris Mechalides, seconded by Eileen Farrell. Vote 5-0 Unanimous.

Motion to close the hearing by Gary Ralls, seconded by Chris Mechalides. Vote 5-0 Unanimous.

Meeting ended at 8 PM.

Minutes by Cheryl Bradley.

